pp F. IX-1

Previous References
R.D. 1263 35-36

193 6.
(Meyrai)

Proceedings

File No. 100-36

Serial Nos. 394.

Letter References.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 2

Part B for January 1936

SUBJECT.

Recovery of the loan of Rs 12000 due to Sri Singari Reddi by one Mr V. Subba Rao of Tirunaveli

To: The Mess Clerk
987 p 201-37.

WD 0418—GPB—22,500—29-8-36

Forwards Govt. Advocate's opinion in the

G. R. S. APPF. III—11 1936-7

GENERAL AND REVENUE SECRETARIAT

(Misc)

NOTES. File No.

FILE HEADING.

Recovery from loan of Rs 12,000/- due to Sri Sringa Mutt by one Mr. V. Subba Rao of Tirunelveli

FROM

The Magrai Commissioner

No. C 443 / 36-37 Dated 28/12/36 Received 29-12-36

Diary No. 620	Enclos. 1 File Spare copies	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards further information required by the Law Section - G.R.S and requests orders as to the action to be taken for recovering the loan of Rs 12000/- due by one Mr. V. Subba Rao of Tirunelveli to Sri Sringa Mutt.

NOTES AND ORDERS.

K

) Draft repe is invited to letter no 427/misc dt 28/11/36 from the officer in charge of Magrai pagne regarding the D.C. Kadaikal, wherein he has furnished information required by the Law Secy — Para 3 of dept no 106 36 proceedings for repe

NOTES—First Sheet.

WD 01683—GPB—5,000—3-5-29

20

2 | 11

p

General and Revenue Secretariat — Mis. File No. — of 193 — [App. F. III—2

Serial No.

(1) In View of this, the file may be refd. U.O. to the G.A for favour of opinion & the Kindly indicating the definite Course of action to be taken in the matter

GS 29.12.36

3) 2/24/12/36

Mr. Hiriyanna

(2) U.O.No.p 12836 dated 2.1.37.

Dno 589/36-37 dt 2.1.37

4) Forwarded with compliments, to the Government Advocate for favour of advice

BKRamakrishnaiya 2.1.37

U.no.180.109/36-37 dt 7.1.37

5) Returned with compliments.

It appears as though there is no possibility of the debtor liquidating the debt. A Usufructuary Mortgage means that the right to redeem will continue to be vested in the debtor and the relationship of debtor and creditor will subsist. To realize the debt the Putt will have to file a suit some day or other or be content with enjoying the usufruct in lieu of interest with no present prospect of realizing the principal. There will be the additional - possibility of being drawn into the litigation of attaching creditors or transferees. I suggest that an out and out sale of the properties now fully free may be taken in pro-tanto liquidation of the debt &.

NOTE—Contn. Sheet.

WD 0417 -GPB—30,000—8-9-36

fol

Recovery of the loan of Rs 12,000/-
due to Sri Saigan mills by mrs. V. Subbaraya
of Tinnevelli.

File No. 100 of 1936-7

General and Revenue Secretariat

Serial No.

for the balance a pronote taken so that we may obtain a decree on this note some time later on and paticipate in the ratable distribution of the assets.

Mrs. Subbaraya

Government Advocate.

CSN/7.1.37

GENERAL SECRETARY. 7 JAN. 1937

Asst. Secy
Mug - for
W.C.

BKR 7.1.37

Mudra
7/1/-

Subs for orders if the opinion of the G.A. may be communicated to the M.C. & he called upon to submit a further report as to the result of action taken by him.

The opinion of Govt. Advocate will be communicated to the M.C. if so ordered.

9/1/37

13/1/37 12/15/1/-

OFFICE OF THE SECOND MEMBER OF COUNCIL. 13 JAN. 1937 No 4803

GENERAL SECRETARY. 9 JAN. 1937

Secy member

19/1/37

18/1/37

7/1/-

19/1/-

Mizra File No. 100 of 1936 [App. F. III—2

Serial No.	
4	No. 9878 20. 1. 1937 to the Mizra Commissioner forwarding the Opinion expressed by the Govt. Advocate in the matter.

B
201/
25/1

NOTE—Contn. Sheet.

WD 0417--GPB—30,000-8 9-36

File No. of 193

General and Revenue Secretariat

Serial No.

Muz 100 - 36 - 3

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE.

443/36-37.

Dated, Bangalore, 28th December'36.

From

K.V. Anantaraman, Esq., B.A.,

Muzrai Commissioner in Mysore.

GENL. & REV. SEC 620 29 DEC. 1936 41 BRANCH

To

M. Venkatesa Iyengar, Esq., M.A.,
General Secretary to the Government
of H.H. the Maharaja of Mysore,
Bangalore.

GENERAL 29 DEC.

Subject:- Recovery of the loan of Rs.12,000/- due to the Sri Sringeri Matha by one Mr. V. Subba Rao of Tinnavelly.

Sir,

With reference to your letter No. 648/Muz.100-36-2 dated 7th November 1936 re: the above, I have the honour to forward herewith a copy of letter No. S2-1545/36-37 dated 21-12-1936 with a copy of its enclosure furnishing the further information required by the Law Section and to solicit the favour of early orders as regards the action to be taken in the matter.

The enclosures are returned.

I have the honour to be,
Sir,
Your most obedient servant,

M N Ramaiah

Assistant Commissioner,
For Muzrai Commissioner,
Absent from the station.

etter No. S2-1545/36-37 dated 21st December 1936 from the Deputy sioner, Kadur District, to the Commissioner in Mysore, ore. Muzrai

-

Loan amount of Rs.12,000/- due from Mr. Veeranallur Subba Rao.

-

With reference to your memo No. 443/36-37 dated 19-11-1936 on the above subject, I have the honour to forward herewith a copy of letter No. 427/Mis. dated 28th November 1936 received from the Officer in charge of Sringeri Jahagir and to state that in the light of the above letter, the Government Advocate may kindly be consulted for his further remarks in the matter.

I have however requested the Officer in charge to write to the Advocate at Tinnevally, to keep everything ready to take action as proposed, pending receipt of instructions from you.

-

Letter No. 427/Mis. dated 28th November 1936 from the Officer in charge, Sringeri Jahagir, Sringeri, to the Deputy Commissioner, Kadur District, Chikmagalur.

-

With reference to correspondence ending with Muzrai Commissioner's memo No. 443/-36-37 dated 19-11-1936, calling for further report on the points raised in the legal opinion furnished in the matter of obtaining a mortgage bond from Mr. Veeravanallur Subba Rao for securing the loan of Rs.12,000/- outstanding against him, I have the honour to state that if a suit is filed immediately as suggested in the legal opinion and a decree obtained it will not be advisable to proceed against the encumbered properties as otherwise the Mutt is likely to be drawn into unnecessary litigation. If only the unencumbered properties are attached and brought to sale it may not be possible to realize the loan amount as the properties do not seem to be worth the amount considering the income they are now yielding. Further if a suit is immediately filed the other creditors of Mr. Subba Rao who hold pronotes against him may also file suits and claim ratable distribution out of the sale proceeds. When the prospects of realizing the principal itself is so remote, it may not be worth while to incur further expenditure over Court costs which in this case will be over a thousand Rupees. In view of these circumstances, it is for consideration whether obtaining a mortgage bond and taking possession of the unencumbered properties for a limited period of 5

5 years retaining the right to sue and recover the loan amount is not more advantageous than to file a suit immediately. The favour of early orders are solicited.

"Copies"

M. N. Anandalwar.

For Muzrai Commissioner.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE 8

General and Revenue Secretariat

No. 987 L 5 *Dated, Bangalore,* 19th January 1937.
Mcs 100-364 200

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore*

To

The Muzrai Commissioner in Mysore.

Sir,

With reference to correspondence ending with your letter No.C.443/36-37 dated 28th December 1936 regarding the recovery of the loan of Rs.12,000/- due to Sri Sringer Mutt by one Mr. V. Subba Rao of Tinnevelly, I am directed to forward herewith the opinion of the Government Advocate in the matter.

I have the honour to be,
Sir,
Your most obedient servant,

Mir Nazam Imam.

For General Secretary to Government

vvk.2.

Section Mu.

File No. 100-34

Serial No. 4

No. 987 Rev

To

The M C

Sir,

With reference to correspondence ending with your letter no. 443/36-37 dt 29/12/1936 regarding ~~the~~ the recovery of the loan of Rs. 12,000/- due to Sri Singeri Naik by one V. Subba Rao of Tirunelveli, I am directed to forward herewith ~~copy of letter no 109/36-37 dated~~ an open ~~Cancelling~~ cancellation ~~expressed by~~ of the [illegible] in this matter.

Yours [illegible]

No. of letter replied to .....

General and Revenue Secretariat

( )

the 193 .

Issue ... 20-1-37

by Jaffar Hussain

List of enclosures .....

Copied by .....

Examined by .....